

REMARKS

In the Final Office Action dated March 27, 2006, claims 2-4, 9-11, 18-20 23-32 (and presumably claim 1 also, although claim 1 was rejected without a basis being provided for rejection) were rejected under 35 U.S.C. 103(a) as unpatentable over Thornton et al.

In the rejection, Examiner argued that Applicant's argument that evanescent fields induce mode locking was unpersuasive because Applicant's claim does not recite evanescent fields. Applicant respectfully submits that evanescent waves are generated by the evanescent fields. However, to completely avoid confusion, Applicant has amended the claims to read that "evanescent fields" interact to cause mode locking. Applicant respectfully points out that nothing in Thornton suggests using evanescent fields to cause mode locking between adjacent lasers.

With respect to Applicant's remarks on page 2 and 3, against Applicant's list of reasons that it was not a common electrode, the Office Action merely stated that it is "inherent" that a common electrode contact exists to simultaneously address two lasers. Applicant disagrees. There is not a single common electrode that addresses two lasers. Instead, Applicant believes that there are separate electrodes that address each laser. No documentary evidence has been provided to support the conclusion of a common electrode. Thus, Official notice is improper because it is not "capable of such instant and unquestionable demonstration as to defy dispute". MPEP 2144.03A citing In re Knapp Monarch co., 296 F.2d 230, 132 USPQ 6 (CCPA 1961).

In the Office Action, it was acknowledge that Thornton does not disclose a high gain region positioned between a first and second VCSEL to enhance mode coupling between adjacent VCSELs. The claims specify a high gain region between lasers. Thus a prima facie case of obviousness has not been made with respect to claims 2, 4, 13, 20, 26. It is not sufficient that dopants or ion implantation is shown between lasers in Thornton. The Examiner speculates that the dopants of Thornton may create such a high gain region. Applicant contends that the doping is not to increase the gain of the region, but to create a resistive isolation region. Regardless, there is nothing in the reference to suggest that dopants will increase the gain, thus Judicial notice is

improper. Thus, the Patent Office has not met its burden of proof to establish a prima facie case of obviousness with respect to claims 2, 4, 13, 20, 26.

In another project, Applicant has uncovered a number of prior art references on array lasers which Applicant submits herewith in an IDS for consideration.

In view of the preceding amendments and remarks, Applicant respectfully submits that the claims as amended are allowable over the cited prior art reference, and allowance is hereby respectfully requested.

No additional fee is believed to be required for this amendment. However, the undersigned Xerox Corporation attorney (or agent) hereby authorizes the charging of any necessary fees, other than the issue fee, to Xerox Corporation Deposit Account No. 24-0025. This also constitutes a request for any needed extension of time and authorization to charge all fees therefor to Xerox Corporation Deposit Account No. 24-0025.

In the event that the Examiner believes a teleconference would facilitate prosecution, Applicant respectfully requests that Examiner contact the undersigned.

Respectfully submitted,



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